

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	:	
<b>Plaintiff,</b>	:	<b>Case No. 2:99-CV-787</b>
<b>v.</b>	:	<b>Judge Holschuh</b>
<b>NOAH FARMER,</b>	:	<b>Magistrate Judge Kemp</b>
<b>Defendant.</b>	:	
	:	

**ORDER**

This matter is currently before the Court on Magistrate Judge Kemp's May 25, 2005 Report and Recommendation. In that Report and Recommendation, Magistrate Judge Kemp noted that the record shows that Defendant, who failed to appear at the show cause hearing set for May 23, 2005, had not received proper notice of the hearing. At the hearing, Plaintiff's counsel requested 30 days to locate a current address for Defendant so that proper notice could be served.

Magistrate Judge Kemp granted Plaintiff's request and recommended that the Court take no further action at that time. On June 23, 2005, Plaintiff's counsel notified the Court that attempts to locate Defendant had been unsuccessful. In light of the fact that Defendant's whereabouts are currently unknown, the Court **ADOPTS** Magistrate Judge Kemp's Report and Recommendation (Record at 23), and **VACATES** the April 12, 2005 Order to Show Cause. Plaintiff may, of course, file another motion for a judgment debtor exam once Defendant is located.

**IT IS SO ORDERED.**

Date: June 28, 2005

/s/ John D. Holschuh  
John D. Holschuh, Judge  
United States District Court